

*E. Heath Johnson*  
RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

FEB 26 11 14 AM '98



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

February 26, 1998

MEMORANDUM

**AGENDA ITEM**  
For Meeting of: 3-5-98

TO: The Commission

THROUGH: John C. Surina  
Staff Director

FROM: Lawrence M. Noble  
General Counsel

N. Bradley Litchfield  
Associate General Counsel

Michael G. Marinelli  
Staff Attorney

SUBJECT: Draft AO 1998-03

Attached is a proposed draft of the subject advisory opinion. We request that this draft be placed on the agenda for March 5, 1998.

Attachment

FEB 26 11 14 AM '98

1  
2 **ADVISORY OPINION 1998-3**

3  
4 **Gary G. Allen**  
5 **Reform Party of Idaho**  
6 **PO Box 2222**  
7 **Boise, ID 83701**

8  
9 **Dear Mr. Allen:**

10  
11 **This refers to your letter dated January 23, 1998, which requests advice**  
12 **concerning the application of the Federal Election Campaign Act of 1971, as amended**  
13 **("the Act"), and Commission regulations to the possible status of the Reform Party of**  
14 **Idaho ("the Party") as a State committee of a political party.**

15 **Enclosed with your request is a copy of the certificate of the Party's ballot status in**  
16 **the State of Idaho. Your request also includes a copy of an affiliation agreement between**  
17 **the Reform Party of Idaho and the Reform Party of the United States of America.**

18 **Under the Act and Commission regulations, the term "State committee" means the**  
19 **organization which, by virtue of the bylaws of a political party, is responsible for the day-**  
20 **to-day operation of such political party at the State level, as determined by the**  
21 **Commission. 2 U.S.C. §431(15); 11 CFR 100.14. The definition of State committee also**  
22 **requires the existence of a political party. The term "political party" is defined under 2**  
23 **U.S.C. §431(16) and 11 CFR 100.15 as an association, committee, or organization which**  
24 **nominates a candidate for election to any Federal office whose name appears on the**  
25 **election ballot as the candidate of such association, committee, or organization.**

26 **The Commission notes that the issue of the State committee status of the Reform**  
27 **Party of Idaho was included in Advisory Opinion 1998-2 which considered and approved**  
28 **the national committee status of the Reform Party of the United States of America and the**

1 State committee status of several of its State affiliates. See Advisory Opinion 1998-2.  
2 For the reasons stated in that opinion, the Commission concludes again that the Reform  
3 Party of Idaho qualifies as the State committee of a political party under the Act and  
4 Commission regulations.

5 This response constitutes an advisory opinion concerning the application of the  
6 Act, or regulations prescribed by the Commission, to the specific transaction or activity  
7 set forth in your request. See 2 U.S.C. §437f.

8 Sincerely,

9

10

11

12

13

14

Joan D. Aikens  
Chairman

Enclosure (AO 1998-2)